

**Town of Superior
Council Meeting Minutes
January 12, 2017**

CALL TO ORDER

Mayor called meeting to order at 7:01 pm

ROLL CALL

Mayor	Mila Besich-Lira
Vice Mayor	Michael Alonzo
Councilmember	Gilbert Aguilar
Councilmember	Bruce Armitage
Councilmember	Stephen Estatico
Councilmember	Olga Lopez-Absent
Councilmember	Vanessa Navarrette

PLEDGE OF ALLEGIANCE

Jordan Lopez, Jr. High Student Body President led everyone in the Pledge of Allegiance

INVOCATION

Chaplain Van Gorp gave the invocation

STAFF PRESENT

Town Manager	Todd Pryor
Town Attorney	Stephen Estatico
Police Chief	David Neuss
Commander	Anthony Doran
Fire Chief	John Paul Perez
Account Payables Clerk	Ruby Cervantes
Public Works	Anthony Huerta
Deputy Town Clerk	Nora Miramon

SPECIAL PRESENTATIONS

A. Presentation by Alan Urban of Central Arizona Governments concerning the 2018 Community Development Block Grants.

Mr. Urban introduced himself and stated he works for Central Arizona Governments so he works for the Town. He was here to introduce to us the 2018 Community Development Block Grant. This is the process for the Town to determine the next community block project. Applications are submitted September 1st but we need a decision from the Town what the project of choice is by May 2017. This is an informational meeting this evening this is not a hearing but he wanted to layout the process for you and the public and emphasize a few important items. The decisions that the money is to be spent on is required to be done in a public venue. We will be doing two hearings, one at which you will generate a list of possible projects to pick from and another comment period between that one and the first one. The first one you will be able to take comments from the public and the second one the Town will have to make a decision.

Make a selection of which one you want the application to be built on. A couple of requirements, 1) It is intended to help communities of low to moderate income levels. 2.) Reduction of blight in the neighborhoods. Getting rid of burned out homes that have a impact on whether or not someone moves into your neighborhood. The other will be emergency funding. If you would have a flood just recently and there is a need for storm drain work. Streets is a project that a lot of money is spent on. We can do the next hearing in February or March. You should be basing your decision on your general plan for the community. Generally, he will take anything to ADOH to see if it will pass. He will also tell you whether it would be considered. We are looking around \$400,000 that's an estimate.

B. Presentation by Mary Rasmussen of The United States Forest Service concerning the Apache Leap Special Management Area. The purpose of tonight's presentation is to cover some ideas. We wanted to come in here and present why the Forest Service is preparing a management plan for Apache Leap. One of the reasons for them being here is to provide the Town with some on the feedback they have received and update on what is happening and to answer some of your questions. They had some maps they handed out to the board and staff. The first question, what is the Apache Leap Special Management area. It involves 807 acres. The majority is owed by the Forestry Public Lands. The remaining smaller portion about 160 acres belongs Resolution Copper. They got direction from Congress and that was when the National Defense Authorization Act in 2015 was authorized in December 2014. The Legislation established three primary purposes for the area. First, to protect the natural character of Apache Leap. Second, to allow the natural uses by the native American people. The third is to protect the cultural and archeological resources of the area and provide recreational areas. Plan developing step, ideas and considering things that are important to folks. Ms. Rasmussen to explain some of the areas that were mapped out and how people are using some of the areas and proposed hiking trails. There were some questions from Council regarding the area that is sited to collapse from the mining done by Resolution Mining Company.

Councilmember Armitage, in the process of management the Apache Leap he ask that they do not go pass over us, The Town of Superior. Apache Leap is very very important to the residents of Superior. He hopes that they pay attention to the community.

Councilmember Aguilar, asked about the area that is mentioned for subsidizing. Will it affect the Apache Leap?

Ms. Rasmussen, it is expected in the next 40 years to do some collapsing and shifting of the ground about one mile across and 1000 ft. deep. They are still looking at that and it is kind of the presumption of the boundary set.

Councilmember Navarrette, Mayor what can we do to give our thoughts on this information?

Mayor Besich-Lira referred to Mr. Cooper, Town Attorney for direction on how to go about sending a letter or a mission statement from the Town, or we can give our comments to Mr. Pryor so he can draft up a letter if that would be acceptable.

Mr. Cooper, yes that is acceptable and if the letter is not acceptable to all councilmembers then a special meeting can be held.

Vice Mayor Alonzo, wanted to echo what Councilmember Armitage stated. This is our back yard and we tend to be the last ones to be notified. The fencing and the signage that Resolution tends to put up keeping people out and that is his concern.

Mayor, asked what would Council like for their next step be. Have the Town Manager draft up a letter and bring to the next council meeting for approval. Mayor direction to Mr. Pryor to work on a schedule for special meeting where some of interesting parties can also participate in voicing their opinions.

C. Presentation by Bill Harmon of Arizona Department of Transportation concerning the Superior Streets Project.

The Superior Pavement Assessment Study is a joint effort by the Town of Superior and the Arizona Department of Transportation to evaluate the Town's existing pavement conditions to develop a pavement management plan that prioritizes and maximizes limited funding.

Mindy Tieg is the Senior Resident Engineer she over sees construction projects in this area.

Bill Harmon is the boss and oversees the construction projects in this district. Projects going on right now is the Silver King project and the Queen Creek Project which is being fined tuned. Mindy discussed the project and gave a update on the project at hand. Finish date is expected to be in January 2018 but they are ahead of schedule now. The Town requested the lighting at the be LED lighting and they are working with their engineers to make sure the fixtures are workable with the new lighting. The Town received a update on the bridge over Stone Avenue. They have met with some of the concerned business owners regarding the entry ways some can be changed others cannot. Queen Creek Tunnels is having a little issue with the backup generator for the lights and a whole new system is being put in place. New project in March for the Town. This is a sign replacement project that is funded thru their HSIP. There are about 500 signs thru out the Town, everything from street names to stop signs. This is a \$200,000 project which should cover all 500 signs in the Town of Superior. Mr. Harmon stated he is very grateful for the patience while going thru this construction project and in the very near future the Town will have a very nice highway facility. Vice Mayor Alonzo, question, because of the rains we have had erosion happening underneath these proposed drive ways off the highway is that going to continue happening or will this be taken care of for the future?

Ms. Teig, yes that is something that is on their radar to get taken care of before the next predicted rain so in the future this will not happen and it would be ADOT responsibility to get it repaired if it should happen in the future because it is in ADOT right-a-way. Also on the lighting underneath the Stone bridge. There will be installing lighting underneath for the pedestrians walking underneath that bridge.

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STAFF REPORTS

Mayor- A memo will be coming out regarding a meeting with Resolution Copper Mining and Pinal County regarding the Marco Railroad. We had a joint meeting with the Chamber of Commence. We will be working on having a retreat on March the 4th, this will be a joint agency retreat with the school district. We have some pending Airport business development.

Manager passed on his report due to time restraint.

CONSENT AGENDA

Pursuant to Section 2-4-6 (D), matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Prior to consideration of the Consent Agenda, the Mayor will ask whether any members of the Council request any item be removed from the Consent Agenda for separate discussion.

1. Minutes of Regular Meeting on November 30, 2016
2. Purchase Order – PO for the purchase of a 2017 Horton 623 Type 1 ambulance from Professional Sales and Service, and the invoice for same to Resolution Copper Company.
3. Blanket Permit – The Superior Police and Fire Chaplain Program is requesting a Blanket Permit for fundraising to equip the program.
4. Alcohol Beverage Permit – The Legends of Superior Trails is asking for an Alcohol Beverage permit for the Event on February 11, 2017.
5. Special Event Permit – The Legends of Superior Trails is asking for an Special Event Permit for the Event on February 11, 2017.
6. Special Event Permit – The Superior Optimist Club is asking for a Special Event Permit for the Second Fridays Events for the 2017 calendar year.
7. Department Reports
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Magistrate Court
 - Sanitation
 - Town Engineer

Motion to approve items 2, 4, 5, 6, & 7 on the consent agenda motion to approve by Councilmember Estatico, second by Councilmember Alonzo, motion carries.

Councilmember Estatico addressed Vice Mayor if he could elaborate as to why he wanted to table item #3. Vice Mayor stated he wanted to know more about this program When they approved this program there were no cost associated with it. Now they are applying for a blanket permit for fund raising for equipment and other expenses. When a program is introduced within a department that department needs to be able to finance the program. He would like more information and discussion regarding this request. Recently we approved the K-9 program and then come to find out on Facebook there are raising funds for this program for a vehicle and that was not why he voted to approve that program.

Motion to table Item 3 for further review to be brought back for the February council meeting, Item #1 minutes' need correction and brought back for approval at the February council meeting made by Councilmember Armitage, second by Councilmember Navarrette, motion carries.

NEW BUSINESS

A. Discussion/Possible Approval of Superior Transportation Pavement Study.

This study is the result of over a year of work by a committee made up of ADOT, CAG, the Town, the County and Jacobs Engineering. It is a comprehensive study of our streets and a series recommendations to maintain and repair them. Once this study is approved, it will be used as a guide for the HURF and Excise expenditures for the next decade.

They looked at 25.6 miles of our roadways. We found that 85% of people drive to work, there is 7.3 miles of sidewalks that we have a couple of bicycle lanes in main street area. They looked at the amount of crashes, bad streets, streets with the most pot holes and condition of sidewalks. They have prioritized with Stone Avenue, Panther Drive and Sunset Drive and Main Street. They worked with the Town to prioritize these streets. These are not set in stone and changes can be made.

Motion to approve the Superior Transportation Pavement Study was made by Vice Mayor Alonzo, second by Councilmember Aguilar, motion carries.

B. Discussion/Possible Approval of Arizona Department of Transportation for Grant E72V01P for the development of and Airport Master Plan in the amount of \$237,000.

This grant would replace our out of date Airport Master Plan. This will allow us to plan of this facility, and makes it possible to apply for additional grants for development. Wildan Engineering will provide administrative assistance on the Town's obligations for the study.

C. Discussion/Possible Approval of Contract with Coffman Associates for the creation of an Airport Master Plan. Coffman Associates was selected through the RFQ previously approved by the council. They will be completing all the work and hearings required to produce this report over a one year period following the signing of this contract. Matt Quick with Coffman Associates wanted to say thank you and is looking forward to working with the Town of Superior.

Motion to approve the contract with Coffman Associates for the creation of an Airport Master Plan was made Councilmember Armitage, second by Councilmember Navarrette, motion carries.

D. Discussion/Possible Approval of Police Department Standard Operating Policies: 100 - Law Enforcement Authority, 101 – Chief Executive Officer, 102 – Oath of Office, 103 – Policy Manual, and 319 – Conduct. These policies were prepared to create guidelines for police department operations. These policies were reviewed by the Town Attorney. The first four are administrative and the last one covers the department disciplinary policy, and the council was given access to them in November for possible approval during this meeting. The council has been given the next seven policies for review for possible approval at the next council meeting.

Councilmember Armitage, one thing he didn't see in the section regarding disciplinary Section, he would like to see, an opportunity to go to some classes so they can do something that they can review their performance. Education base to help them to improve.

Chief Neuss, the corporate world does things differently, I do not have the luxury that the corporate world does. I need to have everyone prepared at a moment notice. What you are proposing is what we have already done to get us to this point.

Motion to approve Police Department Standard Operating Policies: 100-Law Enforcement Authority, 101-Chief Executive Officer, 102-Oath of Office, 103- Policy Manual, and 319-Conduct made by Councilmember Estatico, second by Councilmember Navarrette, motion carries.

- E. Discussion/Possible Approval of Resolution 17 – 568, A Resolution of the Town Council of the Town of Superior, Pinal County, adopting a policy to govern the process for the acceptance of Public Art.** This Resolution would establish a simple set of procedures for the approval of art on town property. It is based on the City of Prescott's Policy, and was provided by Steve Bacs of Willdan Engineering as a good model policy. **Motion to approve Resolution 17-568 made by Councilmember Estatico, second by Councilmember Armitage, motion carries.**
- F. Discussion/Possible Approval of Request for Proposals for the Superior Senior Center Nutrition Program.** Hayden has requested significant increases in their pricing, necessitating an RFP. This request for proposals would allow us to review our options and make the best choice for our Senior Citizens. **Motion to approve of request for Proposals for the Superior Senior Center Nutrition Program made by Councilmember Navarrette, second by Councilmember Aguilar, motion carries.**
- G. Discussion/Possible Approval of Town of Superior Blight Mitigation Guidelines as presented in the preceding Work Session.** These guidelines outline the procedures that may use to deal with blight issues. Most of the process is already defined in code, and do not require additional authorization, but this document establishes a simple framework by which we can address the issue. **Motion to approve Town of Superior Blight Mitigation Guidelines as presented in the preceding Work Session by Councilmember Estatico, second by Vice Mayor Alonzo, motion carries.**
- H. Discussion/Possible Approval of Ordinance 17 – 139, An Ordinance of the Town Council of the Town of Superior, Pinal County, adding polycarbonate as an alternative material to plywood for board-up.** **Motion to approve Ordinance 17-139 an Ordinance of the Town Council of the Town of Superior, Pinal County, adding polycarbonate as an alternative material to plywood for board-up made by Councilmember Aguilar, second by Councilmember Armitage, motion carries.**

- I. **Discussion/Possible Approval of IGA with the Town of Hayden for the provision of Congregate and Home Delivered meals.** This agreement is for the purchase of the meals for the Senior Center from the Town of Hayden. Hayden has requested an increase, and we have proposed a 5% increase now and 5% in six months.
Motion to approve IGA with the Town of Hayden for the provision of Congregate and Home Delivered meals made by Councilmember Estatico, second by Councilmember Navarrette, motion carries. Vote 6 yes, -0- no's, 1 absent.
- J. **Discussion/Possible Approval of the Rental Contract with Superior Fitness and Personal Training or All Bout the Clothing for the rental a town owned building at 350 W. Main Street.**
- K. **Discussion/Possible Approval of Resolution 17 – 569, A Resolution of the Town Council of the Town of Superior, Pinal County, repealing resolution No. 239, a resolution setting primary property tax for the fire services and waste water treatment services within the town limits.** This Resolution would allow us to transfer funds between the enterprise funds and the general fund to eliminate the fund imbalances. This could help us achieve a clean audit in the 2017 fiscal year. The resolution from 1995 creates an unnecessary fund imbalance, as it has never matched up with actual expenditures.
Motion to approve Resolution 17-569, A Resolution of the Town Council of the Town of Superior, Pinal County, repealing resolution No. 239, a resolution setting primary property tax for the fire service and waste water treatment services within the Town limits made by Councilmember Armitage, second by Councilmember Navarrette, motion carries.

CALL TO THE PUBLIC

Sue Anderson- Thank you for approving the Blight Mitigation program she is excited to work with the Town on behalf of the Chamber she will do anything she can to find funding and volunteers to paint those properties when you are ready for us. She also wants to remind everyone that in 2 weeks is our 9th annual Home Tour. They have 10 homes and buildings including this one on the tour. She is hoping to see all of us in one way or another. They are expecting a very large crowd she has been contacted by the Arizona Republic.

Motion to go into Executive Session for 30 minutes with Town Attorney, Town Manager, Town Council and possibly special council made by Councilmember Estatico, second by Vice Mayor Alonzo, motion carries, adjourned into Executive at 9:14 pm.

EXECUTIVE SESSION

- A. Confidentiality Statement
- B. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts, contracts subject to negotiation and or in settlement discussions conducted in order to avoid or resolve litigation.

1. Discussion of legal matters/consultation with Town Attorney, Town Staff and/or special legal counsel concerning Rachel Sanchez vs. Town of Superior, pursuant to A.R.S. Section 38-431.03 (A) (3) and (4).
2. Possible executive session for discussion/consultation for legal advice with the Town Attorney and/or Town Staff concerning any of the agenda items, pursuant to A.R.S. Section 38-431.03 (A)(3), (4) and (7).

Motion to return from Executive session at 9:44 pm by Councilmember Aguilar, second by Councilmember Estatico, motion carries.

Councilmember Alonzo would like more time to review the contract and perhaps renegotiate. see how this can benefit the Town a little bit more.

Opened up meeting for questions,

Councilmember Aguilar, concerned if you are not there for time agreed the Town will have to pay the \$20,000 and the Town does not have that kind of money.

Jeff Morris, at some point the Town will have to invest work into the building, air conditioning, electrical and do some the improvements. He would come in and do the work and take it out of the rent. He has no reason to invest in the building and still needs to put in the fixtures for the store and pick up and leave. This also depends on how well we are received in the Town. The other item the town might want to consider is the sales tax the town will be getting from us, 4% of every dollar. After 4 years, this will be paid off.

Council board were all in agreement that the contract needs to be revisited and negotiated. The Town would love to see this new venture come in they believe everyone would be very receptive of this new business. A \$20,000 expenditure for the Town is not something they are readily available to spend for a project that didn't work out it does make council a little uneasy.

Councilmember Alonzo would like council to consider both of the offers. There is another interested party that seems more reasonable. We need to consider both offers and what would be best for the town. Go back and talk to both parties and negotiate our concerns, get us the best deal.

Table this item and come back with perhaps a new or revised contract.

SCHEDULING OF MEETINGS AND EVENTS

Mayor- Reginal Mayors Meeting, Tuesday here at Town Hall at 9:00 am

Regular Council Meeting, February 9, 2017, 7 p.m.

Emergency Services Committee Meeting, January 19, 2017, 6 p.m.

ADJOURNMENT

Motion to adjourn made by Vice Mayor Alonzo, second by Councilmember Aguilar, motion carries.

Meeting adjourned at 9:59 pm.



Mayor, Mila Besich-Lira



Town Manager, Todd Pryor